

REMARKS

The Examiner indicated that the Declaration was defective because the inventor's name was different on the specification. The specification was amended to be identical to the declaration, as filed. Accordingly, the Examiner is requested to withdraw this objection.

The other objections to the specification were addressed by the amendments, which were made in accordance with the Examiner's suggestions.

Claims 7-12 and 19-24 were cancelled.

Independent claims 1 and 13 were rejected under 35 USC § 103(a) as being unpatentable over Ruff et al. (US 6,088,778), in view of Lawrence et al. (US 6,253,300). This rejection is respectfully traversed. Claims 7 and 19 were added to independent claims 1 and 13 respectively, to further clarify the claimed inventions. Claims 7 and 19 were specifically addressed by the Examiner on page 13 of the action. The Examiner indicated that Ruff et al. discloses a method to "easily resize and configure IBM-compatible disk partitions without destroying data." (Col. 6, lines 3-4; Col. 9, lines 3-5).

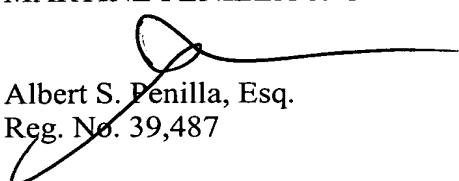
The Applicants submit that the combination of Ruff et al. and Lawrence et al. fail to teach each of the limitation of original claims 1 and 13 and further, also fail to teach the additional clarifications of claims 7 and 19, which have been added to their respective independent claims. Additionally, the independent claims were amended to clarify that the file system layout is being made to enable installation of a file system on a disk. Contrary to the new claimed invention, Ruff et al. is concerned with manipulating existing file systems. In fact, Ruff et al. teaches the manipulations by identifying ways of accessing and changing the partition tables and other parameters of a file system that is already written to a disk. In particular, Ruff et al. is concerned with providing a way to manipulate the tables and data structures that define a file system that is already written to a disk. Conversely, the claimed invention defines a way of laying out a file system that is to be installed on a disk.

The claims were also amended to include the clarification that the assigned size for each of said partitions is capable of being modified in either one of byte size or cylinder size. The claims also clarify the converting between byte size mode and cylinder size mode by implementing appropriate rounding adjustments before proceeding to the installation of the file system having the file system layout on the disk. These operations would not be contemplated by either Ruff et al. or Lawrence et al., as their teachings concern the modifying of data structure parameters of file systems elements that have already been written to a disk.

For at least these reasons and in view of the clarifying amendments, the Applicants submit that the combined references fail to teach or suggest the now amended claims. Accordingly, the Examiner is respectfully requested to withdraw the rejections under Section 103.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No SUNMP450). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 774-6903
Facsimile: (408) 749-6901
Customer No. 32291